Re Box No V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statements

1   Reference is made to the following documents:

D1: H. SCHULZRINNE, S. PETRACK: "RTP Payload for DTMF Digits, Telephony Tones and Telephony Signals", RFC 2833, May 2000 (2000-05), Pages 1-30, XP015008616

D2: V. BHARATIA, E. CAVE, B. CULPEPPER: "SIP INFO method for Event Reporting", Internet Draft, 18 April 2000, (2000-04-18), Pages 1-10, XP002206928

D3: WO 03/013116 A (FRANZ MATHIAS ; JUGEL ALFRED (DE); KLEINER PATRICK (DE); LOEBIG NORBERT) 13 February 2003 (2003-02-13)

D4: EP-A-1 304 845 (SIEMENS AG) 23 April 2003 (2003-04-23)

D5: EP-A-1 345 399 (SIEMENS AG) 17 September 2003 (2003-09-17)

2   The present application does not fulfill the requirements of the Article 33(1) PCT, because the subject matter of the claims 1-6, 8-10,12 and 13 are not novel in terms of Article 33(2).

The present application does not fulfill the requirements of the Article 33(1) PCT, because the subject matter of the claims 7 and 11 are not based on an inventive step in terms of Article 33(3).

2.1 Document D1 is regarded as the closest prior art compared to the subject matter of the claim 1. It discloses (the references in brackets relate to this document) a method for determining the type of the transmission of signaling information (see abstract) between a first and a second packet network terminal (see Chapter 1, Paragraph 2, "gateway" or "receiving internet end system"), for a simplifying processing of the signaling information with relation to a dialogue with a speech dialogue system in a packet network (see Chapter 3.1, Paragraph 4 "IVR"), in which a) a speech dialogue

system (see Chapter 3.1, Paragraph 4 "IVR") without special hardware devices for the support of in-band signaling is specified as one of the packet network terminals (see Chapter 1, Paragraph 2 "without imposing the burden of tone recognition on the receiver"), b) codecs with in-band signaling are avoided for the transmission of signaling information (see Chapter 1, Paragraph 2), c) either a codec with out-of-band-signaling supported by both packet network terminals (see Chapter 1, Paragraph 3, "carry it out-of-band") or signaling by means of specially labeled data packets is determined for the transmission of signaling information (see Chapter 1, Paragraph 2, "sends the RTP payload instead").

2.2   Furthermore D1 discloses the additional features of claim 2, as it is precisely a question of this standard.

2.3   Document D2 is regarded as the closest prior art compared to the subject matter of the independent claim 3. It discloses (the references in brackets relate to this document) a method for determining the type of the transmission of signaling information (see abstract) between a first and a second packet network terminal (see Chapter.1, "media gateway MG" or "enhanced service platforms ESP"), for a simplifying processing of the signaling information with relation to a dialogue with a speech dialogue system in a packet network (see Chapter 1, Paragraph 4, "IVR"), in which a) a speech dialogue system without special hardware for the support of in-band signaling (implicitly disclosed as the solution lies in not transmitting DTMF as audio) is specified as the second packet network terminal (see Chapter 1, Paragraph 4, "IVR"), b) a codec supported by both packet network terminals is determined for the transmission of signaling information (codec negotiation is implicitly disclosed by SIP, see also abstract, "for communicating mid-call events in SIP sessions", with "mid-call" meaning that the session had already been negotiated), c) the speech dialogue system is controlled by a control device (Chapter 1, "MGC"), which device, independently of the codec used, sends a signaling message to the first packet network terminal, which message stipulates the use of out-of-band signaling (see Chapter 4, Paragraph 1).

2.4   The dependent claims 4-8 do not contain any features that, in combination with the features of any other claim to which they relate, fulfill the requirements of the PCT with

regard to novelty (claims 4-6 and 8) or inventive step (claim 7). The reasons for this are as follows:

Claim 4:   Codec negotiation is disclosed implicitly in D2 by SIP.

Claim 5:   DTMF for the signaling is disclosed in D1 and D2 (in Chapter 1 of each).

Claim 6:   Soft switch is disclosed in D2 (Page 8, Line 1).

Claim 7:   Regression solution in-band is obvious from compatibility with existing hardware, see also document D3, Page 9, Lines 4-15 and Page 10, Line 4-13.

Claim 8:   Automatic speech output is disclosed by "IVR" both in D1 and in D2.

2.5   The independent claims 9,10 and 12 describe system features that correspond to method features already discussed. The same reasoning as for claim 1 and claim 3 applies correspondingly for the independent claims 9, 10 and 12.

The subject matter of the independent claims 9,10 and 12 is thus not novel (Article 33(2) PCT).

2.6   The same reasoning as for claim 7 applies correspondingly for the independent claim 11.

The subject matter of the independent claim 11 thus does not fulfill the requirements of the PCT with regard to inventive step (Article 33(3) PCT).

2.7   The same reasoning as for claim 6 applies correspondingly for the dependent claim 13.

The subject matter of the dependent claim 13 is thus not novel (Article 33(2) PCT).

3   The application defines a system or a method for transmitting DTMF characters. It thus fulfils the requirements of Article 33(4) PCT

Re Point VI

As the priority document had not been submitted when this communication was drawn up, the priority applied for was assumed to be valid. In the further course of the method, document D5 may also be of relevance.